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9 Attorneys for Defendants Rural/Metro Fire Dept., Inc.,
10 Grant Reed and Brittany Reed

11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE DISTRICT OF ARIZONA**

13 Robert Steven Cutler, individually and as
14 Administrator of the Estate of David A. Cutler,
15 deceased, on behalf of himself and on behalf of
16 all beneficiaries of the Estate of David A.
Cutler, deceased, and Renee Luddington Cutler,

17 Plaintiffs,

18 vs.
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20 Mark D. Napier, Sheriff of Pima County,
21 Arizona, in his official capacity; Rural/Metro
22 Fire Dept., Inc., an Arizona for profit
corporation, Keith Barnes and Jane Doe Barnes,
his spouse, Grand Reed and Brittany Reed,

23 Defendants.
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No. 18-CV-00383-TUC-JCH

**AFFIDAVIT OF
SCOTT REYNOLDS**

1 STATE OF ARIZONA)
) ss.
2 COUNTY OF MARICOPA)

3 I, Scott Reynolds, pursuant to Rule 80(i), Ariz. R. Civ. P., hereby declare, under
4 penalty of perjury, as follows:

5 1. I am over 18 years old and competent to make this affidavit.

6 2. I am a partner with the firm of Satterlee Gibbs PLLC which represents
7 Defendants Rural/Metro Fire Dept., Inc. ("Rural/Metro"), Grant Reed ("Grant Reed")
8 and Brittany Reed (collectively "Defendants"). I have personal responsibility for
9 representing Defendants in the above captioned matter.

10 3. On November 8, 2018, counsel for Defendants' counsel sent a letter to
11 Plaintiffs' counsel indicating they had not complied with A.R.S. §12-2602 and had not
12 provided a preliminary expert opinion. *See Exhibit A.*

13 4. On or about November 18, 2018, Plaintiff provided the Preliminary Expert
14 Opinion Declaration of Donald Locasto, M.D.

15 5. On or about April 4, 2019, Defendants' counsel sent a letter to Plaintiffs'
16 counsel indicating Dr. Locasto did not meet the minimum threshold requirements as an
17 expert regarding the applicable standard of care under A.R.S. §12-2604(2)(a) and A.R.S.
18 §12-2604(2)(b). *See Exhibit B.*

19 6. On June 14, 2019, Plaintiffs' counsel provided a sparse preliminary expert
20 report dated May 31, 2019, authored by their newly retained paramedic expert, Guillermo
21 Haro.

22 7. On November 15, 2019, Plaintiffs' counsel provided an expert report dated
23 November 15, 2019, authored by Guillermo Haro.

24 8. On or about December 31, 2019, Plaintiffs' counsel provided a
25 supplemental expert report dated December 30, 2019, authored by Guillermo Haro.
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1 9. On February 13, 2020, Mr. Haro's deposition was taken. Many of the
2 questions focused on the time he was teaching and conducting other work during the year
3 preceding the incident. Plaintiff's counsel was fully aware of this line of questioning and
4 possibility that his expert did not qualify as an expert witness under the Arizona statute.

5 10. Mr. Haro's deposition transcript was not provided to counsel until February
6 26, 2020 and was not finalized until April 6, 2020.

7 11. Further, affiant sayeth naught.

8 EXECUTED on this 9th day of December, 2020
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10 SATTERLEE GIBBS PLLC

11 /s/ Scott Reynolds

12 Galen H. Satterlee

13 CJ Gibbs

14 Scott Reynolds

15 Attorneys for Rural Metro Fire Department
16 and Reed
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CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2020, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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By: /s/ Kirsten Sylvia